

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

Ursula N. Smith,

Plaintiff,

v.

Case No. 2:12-cv-534

Carolyn W. Colvin,  
Acting Commissioner of  
Social Security,

Defendant.

ORDER

This matter is before the court for consideration of the June 7, 2013, report and recommendation of the United States magistrate judge to whom this case was referred pursuant to 28 U.S.C. §636(b). See Doc. 19. The magistrate judge recommended that the court reverse the decision of the Commissioner pursuant to Sentence 4 of 42 U.S.C. §405(g), and that this action be remanded to the Commissioner for further proceedings consistent with the report and recommendation.

The report and recommendation specifically advised the parties that the failure to object to the report and recommendation within fourteen days of the report would result in a "waiver of the right to de novo review by the District Judge and of the right to appeal the decision of the District Court[.]" Doc. 19, p. 10. The time period for filing objections to the report and recommendation has expired. The Commissioner has not objected to the report and recommendation.

The court has reviewed the report and recommendation of the magistrate judge. Noting that no objections have been filed and

that the time for filing such objections has expired, the court adopts the report and recommendation of the magistrate judge. Accordingly, the court reverses the Commissioner of Social Security's non-disability finding and remands this case to the Commissioner for further proceedings consistent with the report and recommendation.

Date: August 1, 2013

s/James L. Graham  
James L. Graham  
United States District Judge